

### **Remarks**

Claims 1-45 are pending in the application. The claims were rejected in the last outstanding Office Action mailed October 17, 2006.

This Amendment is in response to the last outstanding (final) Office Action, and it is being filed within the statutory period to reply which is no later than six months (April 17, 2007) from the mailing date of such Office Action. The Amendment is responsive within the meaning of 37 CFR 1.111 to the last outstanding Office action.

A Request for Continued Examination (RCE) in compliance with 37 CFR 1.114 is being filed concurrently with the filing of this Amendment.

No Response under 37 C.F.R. 1.116 has been filed.

A Notice of Appeal was mailed January 17, 2007. Prior to the due date for filing the Appeal Brief, the Appeal is being withdrawn concurrently with the filing of this Amendment and the Request for Continued Examination. See MPEP 1215.01.

### **The Amended And Cancelled Claims**

Independent claims 1, 17, and 32 are amended. Independent claim 45 is cancelled.

Dependent claims 2-4, 6, 7, 10, 13-16, 33-35, 37, 38, 41, and 44 are amended. Dependent claims 5, 8, 9, 11, 12, 18-31, 36, 39, 40, 42, and 42 are cancelled.

Support for the amendments to the independent claims was previously described in the Amendment mailed July 20, 2006.

Support for the amendments to the dependent claims is found, for example, in the specification at pages 4-8.

The amendments to the independent and dependent claims clarify the claims substantially without changing their scope.

### **Claim Rejections - 35 U.S.C. § 103**

Claims 1, 3-5, 10-13, 17, 19-21, 26-29, 32, 33-36, and 41-44 are rejected under 35 U.S.C. §103(a) as unpatentable over U.S. Application Publication No. 2003/0167271 (Arnold et al.) in view of CTAN (Dante, published October 2002, page 1), and U.S. Patent No. 5,832,110 (Hull).

Claims 2, 18, and 33 are rejected under 35 U.S.C. §103(a) as unpatentable over Arnold et al., CTAN, and Hull, further in view of U.S. Patent No. 5,999,945 (Lahey et al.).

Claims 6, 7, 14, 22, 23, 37, and 38 are rejected under 35 U.S.C. §103(a) as unpatentable over Arnold et al., CTAN, and Hull, and further in view of U.S. Patent Application Publication No. 2002/0067502 (Hansen).

Claims 8, 9, 24, 25, 39, and 40 are rejected under 35 U.S.C. §103(a) as unpatentable over Arnold et al., CTAN, Hull, and Hansen, further in view of Altamura et al. (IJ DAR published November 7, 2000, pages 1-9)

Claims 15, 16, 30, and 31 are rejected under 35 U.S.C. §103(a) as unpatentable over Arnold et al., CTAN, and Hull, and further in view of U.S. Patent No. 6,616,359 (Nakagiri et al.) and U.S. Patent Application Publication No. 2003/0103238 (MacLean et al.).

Claim 45 is rejected under 35 U.S.C. §103(a) as unpatentable over Arnold et al., CTAN, Larson, and Lahey et al.

Applicants submit that the claims are patentable over the cited references, taken separately or in any proper combination, for at least the following reasons.

**The Examiner's position that the limitation in previously presented claims 1, 17, 32, and 45 regarding "page jumping" is an intended use limitation, and therefore is not required to be taught by the cited references is obviated by the amendments to claims 1, 17, 32, and 45.**

The Examiner's position is that the limitation "to facilitate avoiding an appearance of page jumping in the PDF representation of the book" in previously presented claims 1, 17, 32, and 45 is an intended use limitation, and therefore is not required to be taught by the cited references.

Claim 1 is amended as follows:

**"preventing an appearance of page jumping between succeeding pages in the PDF representation of the book by**

aligning, in the PDF representation of the book, the selected feature of on all of the cropped PDF pages ~~to facilitate avoiding an appearance of page jumping in the PDF representation of the book~~, whereby when one browses through a number of succeeding pages in the PDF representation of the book they will not appear to jump around from page to page"

Assuming arguendo, that the limitation in previously presented claim 1 regarding "page jumping" is not required to be given any weight in examination (although this is not believed to be the case), claim 1 is amended to obviate the Examiner's position in regard to the claim. Nothing in the preventing step is optional.

Similarly, claims 17 and 32 are amended obviate the Examiner's position in regard to the claims.

**Hull does not teach or suggest the claimed preventing step in independent claims 1, 17, and 32 as amended.**

In rejecting claims 1, 17, and 32, the Examiner relies on column 3, lines 40-54, in Hull as follows:

"Image registration is the process of aligning two image fragments where the image fragments overlap, i.e., where the image fragments have features in common. For example, a map book which has multiple pages (image fragments) to fully map a city might have each map page overlap adjacent map pages. If a large, continuous map of the city is desired, it could be constructed from the map pages by aligning adjacent map pages using the common, overlapping portions of the adjacent map pages in an image registration process. As used herein, a "full" image refers to the image resulting from registering and assembling image fragments. While it is generally assumed \*\*\*."

Thus, Hull teaches arranging successive map pages from a map book into a co-planar overlapping alignment of the pages, in order to construct a single-page large map that is a combination of the pages.

The construction of the single-page large map from the map pages that are arranged in co-planar overlapping alignment in Hull does not teach or suggest the claimed preventing step in claims 1, 17, and 32 as amended. Moreover, such preventing step cannot be inferred from Hull. The preventing step in claims 1, 17, and 32 as amended is as follows:

"preventing an appearance of page jumping between succeeding pages in the PDF representation of the book by aligning in the PDF representation of the book the selected feature on all of the cropped PDF pages, whereby when one browses through a number of succeeding pages in the PDF representation of the book they will not appear to jump around from page to page"

Clearly, this not the same as in Hull. A comparison of Hull with the claimed preventing step certainly indicates that the claimed preventing step imposes limitations that differ from Hull. For example, the claimed "succeeding pages in the PDF representation of the book" is not the same as the single-page large map in Hull. Also, there are no cropped pages in Hull.

When evaluating a claim, every limitation in the claim must be considered.

**Hull cannot be combined with Arnold and CTAN to arrive at in independent claims 1, 17, and 32 as amended.**

Arnold discloses a conversion process for converting pages in a RDO file, which can represent the pages of a book, to a PDF file. The Examiner has concluded that Arnold does not teach the "removing" "selecting", and "aligning" steps in independent claims 1, 17, and 32 as previously presented.

CTAN teaches an input PDF file having page margins and an output PDF file with removed margins.

Hull teaches arranging successive map pages from a map book into a co-planar overlapping alignment of the pages, in order to construct a single-page large map that is a combination of the pages. This does not teach the "preventing \*\*\* by aligning \*\*\*" step in independent claims 1, 17, and 32 as amended.

Moreover, since in Arnold a PDF file representing successive pages is constructed, whereas in Hull only a single-page is constructed, how can Hull be combined with Arnold and CTAN in any meaningful way to arrive at the

"preventing \*\*\* by aligning \*\*\*" step in independent claims 1, 17, and 32 as amended? The fact is, it cannot. To conclude otherwise would be an impermissible hindsight reconstruction of the claimed invention.

Accordingly, there can be no motivation to combine Hull with Arnold and CTAN to attempt to arrive at the "preventing \*\*\* by aligning \*\*\*" step in independent claims 1, 17, and 32 as amended.

**The dependent claims as amended are patentable over the cited references.**

The dependent claims as amended are patentable at least for the same reasons that independent claims 1, 17, and 32 as amended are patentable.

**CONCLUSION**

It is respectfully submitted that, in view of the above amendments and remarks, this application is in condition for allowance, a prompt notice of which is earnestly solicited.

The Examiner is invited to call the undersigned in the event that a phone interview will expedite prosecution of this application towards allowance.

Respectfully submitted,



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If the Examiner is unable to reach the Applicant(s) Attorney at the telephone number provided, the Examiner is requested to communicate with Eastman Kodak Company Patent Operations at (585) 477-4656.